

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**IN RE: REALPAGE, INC., RENTAL  
SOFTWARE ANTITRUST LITIGATION  
(NO. II)**

**Case No. 3:23-md-3071  
MDL No. 3071**

**THIS DOCUMENT RELATES TO:  
3:23-CV-00440  
3:23-CV-00742**

**Chief Judge Waverly D. Crenshaw, Jr.**

**DEFENDANTS' MOTION TO DISMISS TENNESSEE ACTIONS FOR LACK OF  
PERSONAL JURISDICTION AND IMPROPER VENUE**

Defendants ConAm Management Corporation, CONTI Texas Organization Inc., d/b/a CONTI Capital, Essex Property Trust, Inc., Prometheus Real Estate Group, Inc., Rose Associates, Inc., Sares Regis Group Commercial, Inc., Sherman Associates, Inc., and Windsor Property Management Company, (the "Moving Defendants"), through undersigned counsel, respectfully move this Court for an order dismissing the Moving Defendants from related actions originally filed in the Middle District of Tennessee that are now consolidated in this Court for pretrial proceedings for lack of personal jurisdiction under Rule 12(b)(2) of the Federal Rules of Civil Procedure ("FRCP") and improper venue under 28 U.S.C. § 1406(a) and FRCP 12(b)(3).<sup>1</sup> This Motion is based on the accompanying Memorandum and declarations, oral argument, and such other matters as this Court may consider in hearing the Motion.

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<sup>1</sup> The actions were originally filed in the Middle District of Tennessee as *Alexander v. RealPage, Inc.*, No. 3:23-cv-00440 (M.D. Tenn.) and *Kabisch v. RealPage, Inc.*, No. 3:23-cv-00742 (M.D. Tenn.).

Dated: October 9, 2023

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 9, 2023, I caused the foregoing document to be filed electronically with the Clerk of Court using the CM/ECF system, which will send notification of such filing to those attorneys of record registered on the CM/ECF system.

Dated: October 9, 2023

/s/ Benjamin R. Nagin  
Benjamin R. Nagin